IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1355 OF 2007

Shankar Hiru Chipalekar] .. Petitioner

Versus

1. State of Maharashtra & 4 ors.] .. Respondents

Mr. Umashankar Upadhyay i/b S.G. Surana for the petitioner.

Mrs. M.P. Thakur, AGP, for the respondents.

CORAM: S.B. MHASE, &
R.S. MOHITE, JJ.

DATED: 04TH JUNE, 2007

P.C. :

. Heard both sides.

2. It is unfortunate that inspite of the lands of the petitioner having been acquired by the Government and the Reference under Section 18/28(3) having been decided in favour of the petitioner, the enhanced amount of the compensation has not been paid by the Government. It is further very painful that even though the petitioner has filed execution proceedings before the Civil Judge, the Civil Judge has not taken proper steps to recover the amount from the Government and to pay it

to the petitioner in the pending execution proceedings. We, therefore, direct the Civil Judge, Senior Division, Raigad that the execution proceedings filed by the aforesaid petitioners shall be disposed of as expeditiously as possible, without giving undue time to the Government for depositing the money. If the Government is taking undue time and trying to prolong the execution proceedings, the Civil Judge shall come forward to take the appropriate steps to recover the amount from the Collector and Land Acquisition Officer. With these directions, the aforesaid petition is disposed of.

3. We hope that the Civil Judge, Senior Division, Raigad will try to dispose of the execution proceedings filed by the petitioner within a period of 12 weeks from today.

Sd/-
[R.S. MOHITE, J.]

Sd/-
[S.B. MHASE, J.]